

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- February 21, 1973

Application No. 11274 Francis H. Caskin & Susan M. Caskin, appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried by a vote of 3-0, the following Order of the Board was entered at the meeting of March 20, 1973.

EFFECTIVE DATE OF ORDER -- April 11, 1973

ORDERED:

That the application for permission for a variance from Section 3305.1 for south side yard requirements of the R-1-B District for existing dwelling at 7416-48th Street, N.W., Lot 34, Square 1493, be GRANTED.

FINDINGS OF FACT:

1. Subject property is located in an R-1-B District which is defined by the Zoning Regulations as an area of single family detached dwellings; high density.
2. At the present time the subject property is being used to accommodate a single family dwelling; it is the applicant's proposal to add an upstairs bedroom with a sun porch below.
3. It is the applicant's contention that without the requested permission to add to the existing structure it will result in an undue hardship; the family includes three growing boys, two of whom are currently sharing one crowded room. The only alternative, if in fact this variance area were denied, is to move. This alternative is unacceptable to applicant.
4. The proposed addition will measure twelve feet in the rear, it aligns with the existing structure so that the new rear elevation retains basically the form and fenestration of the existing elevation.

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5. The file contains letters in support from the architect and a neighbor.

6. No opposition against the application herein was voiced at the public hearing, nor were any letters in opposition submitted to the file for the Board's consideration.

OPINION:

The Board has reviewed the whole record submitted in the application herein and is of the opinion that sufficient reasons have been demonstrated that entitle applicant to the requested relief.

The Caskin residence is one of the few remaining Pre-Civil War Farm houses remaining in the immediate area and we are especially pleased that considerable care and effort to maintain that epoch's characteristics have not been neglected.

Pursuant to the recent case of Palmer v. Board of Zoning Adjustment, the Board is obliged to find that evidence of hardship or practical difficulties will result if the variance were not granted to applicant. We have determined that the owner has no reasonable alternative but to expand his structure in the way which he has presented to us.

We approve of applicant's intentions and again are well satisfied that the standards set forth in Palmer have been met.

We are of the opinion that the appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

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BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: George A. Grogan
GEORGE A. GROGAN
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.